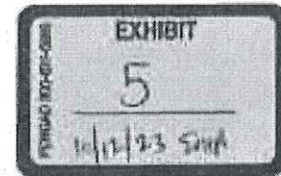


EXHIBIT “K”



MEMORANDUM

TO: DISTRICT ATTORNEY WILLIAM J. FITZPATRICK
FROM: CHIEF INVESTIGATOR PETER TYNAN
DATE: 11/16/93
RE: MEDICAL EXAMINER'S OFFICE

A. Woodard Photo

On 7/21/93 per your request, the Investigation Bureau attempted to determine how convicted child pornographer Dennis Woodard had a photo of himself taken in the MEO autopsy room.

Investigation results:

Subject being autopsied in photo was Mr. James Spencer, 35 years of age.

Date of death: January 4, 1992.

Date of autopsy: Sunday, January 5, 1992, at approx. 1200 hours.

Present:

1. Dr. David Ragle
2. Dr. George Capaldo, SUNY resident
3. Joseph Contrera, MEO assistant
4. Barb Williams, MEO assistant
5. Dennis Woodard
6. Jason Williams, step-son of Joe Contrera, age 15.

Place: Onondaga County Medical Examiner's Office, 330 East Onondaga Street.

- 7/21 - Interviewed Dr. Ragle at 2000 hours this date. Dr. Ragle recalls this autopsy and the resident pathologist. Recalls scene investigator^{DN}. Recalls cause of death as pulmonary embolism. States, "Never saw Dennis Woodard in my life." Never gave anyone, ~~including Contrera~~^{THIS} permission to view/autopsy.
- 7/23 - Notified family of James Spencer in an effort to alleviate their discomfort should news of this "leak out" to the media as a number of things have. Family was very grateful and understanding.
- 7/23 - Spoke with Dr. George Capaldo. Recalls this autopsy. Remembers a teacher being present. Recalls Joe Contrera's son being there. Learned the teacher was from the same school as Joe Contrera's son. Recalls victim being a white male in mid-30's.
- 7/26 - Dennis Woodard, via his attorney William Walsh, stated Jason Williams took photos at autopsy. Said he did sew a "few stitches". Recalls Dr. Ragle being present when photos were taken. Stated Joe Contrera cut off top of victim's head and weighed brain.
- 7/26 - Barb Williams recalls autopsy of 1/5/92. Was so enraged over MEO practices that she sent a letter to Dr. Miller, signed "letter from an employee". Recalls all present at

autopsy. Everyone had on full protective gear. Stated Jason Williams stayed further back from autopsy table, but Dennis Woodard stood very close. Stated Joe Contrera did "most" of autopsy, although Dr. Ragle did the "technical" stuff. Said Joe Contrera made incisions, sawed skull, and that Dr. Ragle was "in and out" of autopsy room. Dr. Capaldo assisted Joe Contrera. Recalls Jason Williams took photos. Joe Contrera and Dr. Capaldo dissected legs of victim. Woodard did about four stitches. Dr. Ragle was not present during stitches and photos. Woodard handled victim's brain and heart.

7/28 - Received from N.Y.S. Attorney General's Office copy of Dennis Woodard's diary. States that on Sunday, 1/5/92 "went to Onon. Co. MEO with Jason Williams and witnessed autopsy on James Spencer, age 35. Died of Pulmonary Embolism. I held heart, brain, and sewed up the back of the left leg."

8/2 - MEO advises that sign-in sheet for MEO visitors did not start until 2/28/92.

8/10 - Spoke with Jason Williams. Said permission from Dr. Ragle to attend autopsy was obtained by Joe Contrera. Said Joe Contrera took all photos (2 or 3). Woodard held both heart and brain, stitched leg during autopsy. Said

in January 1992 he was 15 years of age. He stated he may have taken one photo.

8/10 - Joe Contrera, via his attorney Dennis Sedor, stated he took photos in question. He does not recall Jason taking any photos.

Although the accounts of those present vary in certain aspects, several facts are clear:

1. that on 1/5/92 two non-MEO employees were present in autopsy room.
2. that one of the visitors was a 15-year old boy.
3. that one of the visitors held victim's heart and brain in his hands.
4. that visitor stitched leg of victim.
5. that Polaroid photos were taken of visitor and victim during autopsy.
6. that Dr. David Ragle was present and in charge of autopsy and prepared autopsy protocol indicating he had performed autopsy.

7. that Dr. Ragle knew, or should have known, #1 through #5 above.

B. Houston Photo

During initial investigation, received on 7/26/93 photos of autopsy room, with victim on table and MEO employee Alexis Houston involved in "horseplay" over victim's body, i.e. smiling, wearing a surgical gown and holding what appears to be a scalpel.

Investigation shows that on 3/25/87, 42-year old Marguerite Holcomb, Oswego County, was autopsied at Onondaga County MEO (#87-0193). Victim died of suicide/overdose. Photos were taken during this autopsy.

Alexis Houston interviewed. She identified herself in photo, said it was taken sometime in 1987 by former Assistant Medical Examiner Jean. She thought it was Dr. Jean's last day at MEO.

On 8/4/93 spoke with Dr. Jean, who had no recollection of autopsy or taking photos.

Learned from MEO source who stated that it was Alexis Houston's last day at MEO before her transfer to Civic Center, due to sexual harassment allegations she made against another employee.

C. DEC Investigation

First met Steve Canfield and Woody Erikson of DEC at MEO on 7/23/93. Their investigation into Onondaga County MEO concern the following:

1. 40 lbs. of mercury stored illegally at County Office Building.
2. the flushing of body parts at MEO.
3. the disposal of water used to boil bodies by MEO personnel.

They have obtained affidavits from present and former MEO employees who have flushed body parts for several years, the latest being the Summer of 1992, when a reported 600 gross jars of outdated tissue was flushed down the sink in autopsy room.

These were reportedly done at direction of Medical Examiner Dr. Erik Mitchell.

These incidents, which date back several years, could be considered violations and misdemeanors of the Environmental Conservation Law.

While a number of employees have indicated they did flush these body parts, it has not been verified that Dr. Mitchell ordered the parts to be disposed of in an illegal manner.

D. N.Y.S. Health Dept. Investigation

7/23/93 - Also met with NYS Health Dept. Inv. Dennis Griffin. Their investigation is focused on:

1. the improper collection of skeletal remains/body parts at the Medical Examiner's Office.
2. the donation of body parts to a facility which is not a licensed research center (Bristol Lab).
3. the donation of body parts to SUNY Upstate without consent of family.
4. etal.

Bristol Labs - In June of 1985, by letter to Erik Mitchell, Bristol Labs requested human kidneys and liver specimens, especially those of young adults or adolescents.

By Dr. Mitchell's own admission, this was in fact done for about three years. Permission of next-of-kin is unknown because there are no records at MEO or Bristol Labs as to what was received/donated. No information whatsoever....

SUNY Upstate:

Larry Miller, working under Dr. Ahmad Elbadawi of the Dept. of Pathology, conducted a human bladder analysis. The human specimens were supplied by Onondaga County MEO.

These donations from MEO to Upstate occurred on a regular basis from 1986 through October 1989, at which time the Health Department ordered MEO not to take specimens without family consent.

There were no summary results from this project, nor were there ever any articles, publications, recommendations, etc. ever printed. Evidence indicates approximately 150 separate specimens were donated to SUNY Upstate during this time period. The specimens were generally bladders and other connective tissue, including the reproductive organs.

Investigation indicates that of the 150 specimens mentioned, roughly 95% had no family consent to donate.

Note further that these donations were able to be traced by the meticulous recordkeeping of Larry Miller, whereas the Onondaga County MEO kept absolutely no records.

Include information on three cases where consent was specifically withheld - Dr. Mitchell had no explanation for two of the instances, but indicated there was disease connected to the young

girl's organs. Dr. Mitchell explained to the District Attorney that this is why he removed the organs, though in this writer's opinion that was merely a fortuitous coincidence as the disease in no way contributed to the girl's death.

"Skeletal Recovery" Course

In 1988 and 1989, the Onondaga County MEO sponsored a "skeletal recovery" course for law enforcement personnel. The cost per attendee was \$500.00, but the price was adjusted for local officers.

This course came under scrutiny for two reasons: (1) what bodies were used in the course; and (2) how money was handled for the course.

Investigation showed that all known money collected for the course, and all known disbursements, were made through the Onondaga County Health Department Auxiliary, a tax-exempt organization. In this manner, all expenditures for rooms, food, equipment, speaking fees, etc. were made at the discretion of the MEO, rather than the County Legislature, Health Department, Budget Office, etc., and were not under the control of the County Executive, Comptroller, Finance, etc. The Auxiliary meshed deposits and checks within its books. It is difficult to ascertain how much profit, if any, was realized to the MEO by these course productions.

It was also learned that other deposits from Dr. Mitchell's speaking engagements were applied to this account. By this method, the MEO was able to purchase selected items from the MEO without involving the above-named county departments.

The course itself --

The 1988 course was held on Dr. Mitchell's farm. It is known that animals were purchased, killed and buried for later recovery.

The 1989 course, "field exercise" was held at the farm of Joseph Contrera in Cayuga County. There is much discrepancy in what human materials were used.

Evidence indicates that several full skeletons were used for this exercise. The most disturbing factor is there are absolutely no records on what remains were utilized. Dr. Rodriguez claims they were donations obtained by Dr. Mitchell, and Dr. Mitchell claims not to have attended the field exercise, and has no idea what, whom, or how many specimens were employed. A former MEO employee states he helped load three frozen bodies in blue body bags into a private vehicle for transport to the field course. It is known that three other skeletal specimens were used above ground for additional study. It is known the MEO was in possession of three exhumed bodies: one from Ulster County, one from an Onondaga County 1988 exhumation, and one from another Onondaga County 1989 exhumation (89-6421).

Also, the remains of (1) Mary Knapp (88-0792) and (2) L.B. Chandler (86-____).

[Handwritten signature: Cat Cady]

Some or all of these cases may have been used at 1989 field exercise. Absent any recordkeeping, there is no definitive manner to determine remains used.

Exhumed bodies:

In 1988 and 1989, the MEO, via the District Attorney's Office, applied for and received Exhumation Orders from County Court. The stated purpose of these exhumations was to attempt identification of "John Doe" victims and to attempt to determine manner of death. These Court Orders ordered the exhumation, forensic testing, filing of forensic reports forthwith, and thereafter the return of the remains to their place of internment. To this date, there are no known reports of forensic or anthropologic testing, and the remains of both exhumed bodies continue to be stored at the MEO. It is the writer's opinion based on the available evidence that the court orders were obtained merely as a sham to supply bodies for the skeletal recovery course. ~~Further, the evidence indicates that some of the remains are still in container form and none of the bodies have been re-buried, despite a specific Court Order calling for re-internment.~~

OK

Inventory of MEO

Completed on 7/21/93 by graduate student employed during summer at Onondaga County MEO; includes the following:

3 human ^{SPINAL} ~~spinal~~ columns. ('89, '91, '92)

1 dog

1 cat

All in same cooler

68 post/cranial cranial (years '65-'92)

Ulster Co. exhumation ('89)

4 skeletons ('91-'92)

9 unmarked skeletal remains

5 unmarked cranials

1988 Eagle Village Excavation in 5 boxes with 5 cranials post-cranials.